

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL CASE NO. 1:09cv422

KELLY J. WATKINS, )  
                        )  
Plaintiff,           )                           ORDER OF REMAND  
                        )  
vs.                    )  
                        )  
MICHAEL J. ASTRUE, )  
Commissioner of Social Security, )  
                        )  
Defendant.           )  
                        )  
\_\_\_\_\_

THIS MATTER is before the Court on Defendant's Unopposed Motion for Reversal and Remand pursuant to Sentence Six of 42 U.S.C. §405(g) [Doc. 6].

The Defendant, Michael Astrue, Commissioner of Social Security, moves this Court, pursuant to sentence six of 42 U.S.C. § 405(g), to enter a judgment remanding the cause for further administrative proceedings.

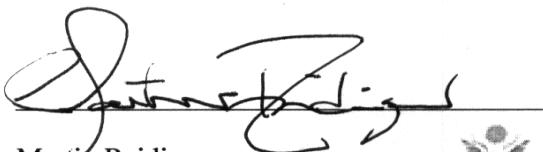
Upon careful review of the Defendant's Motion, and for good cause shown, **IT IS, THEREFORE, ORDERED** that the Defendant's Unopposed Motion for Remand Pursuant to Sentence Six of 42 U.S.C. § 405(g) [Doc. 6] is **GRANTED**. Pursuant to the power of this Court to enter a judgment

remanding in Social Security actions under Sentence Six of 42 U.S.C. § 405(g), this Court hereby **REMANDS** this cause to the Commissioner for further proceedings. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). On remand, the Commissioner will expedite the assignment of this matter to an Administrative Law Judge ("ALJ") who will:

1. Consider the additional evidence submitted in connection with Plaintiff's request for review to the Appeals Council;
2. If appropriate, to obtain evidence from a medical expert in accordance with Social Security Ruling 83-20;
3. Conduct a new hearing and issue a new decision.

**IT IS SO ORDERED.**

Signed: April 29, 2010



Martin Reidinger  
United States District Judge

